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Mr. J. CAVEN, the Mayor of Indianapolis, wades through a golumn of the Journal in an attempt to justify his partizan speeches in welcom ing the return of several veteran regiments from the field. His speeches were in bad taste, and his effort to justify them is in equally bad spirit. | ator who shall not have attained the age of thirty The Journal remarks that it heard the soldiers themselves use the following language while he

"Who wants to hear that?" "Confound his political speeches-we can hear them anywhere." We didn't come out to listen to that sort of

The Journal reiterates that it stood close so the ranks and heard those remarks, and says the ut- ces of disqualification, touching the age, citizenter silence in which the Mayor's speech was list- | ship, and residence of the party, the Constitution ened to, excepting when a venerable joke was rehearsed, "ought to have intimated to the wrapt orator that he was not making an Im pression that he would care to deepen." These criticisms of the Republican organ are not very complimentary to the sagacity of the Mayor, and they rather intimate that he is unable to keep pace with the progress of public sentiment. The soldiers, as they remarked themselves, did not desire to have political speeches. Such small talk, in their estimation, was no evidence of loyalty and patriotism. We heard a gallant Colonel remark the other day, one who for two years has been in arduous and dangerous service, after one of Mayor Caven's receptions, that he thought he would have no difficulty in filling up his decimated regiment. The waving banners in our public thoroughfares, the show of enthusiasm, the patriotic speeches of brave officials who snuffed the battle from afar and the loud buzzes from thousands of hale and hearty men in favor of the vigorous prosecution of the war, be regarded as unmistakable indications that he would be able to return to the field with a full compliment of men. With this impression he opened a recruiting station, but a few weeks experience demonstrated that the patriotism upon which he so confidently relied to recruit and fill his regiment, was identical with that of His Honor, the Mayor-only declama . tion. Or like the disease which Uncle ABRAHAM so graphically describes in one of his jokes, the Caven is principally wind

The addresses of the Mayor and his apology for them are of but little, if any consequence, and we only allude to them to show the animus of the party which he represents, or rather to which he belongs. Can there be anything more ridiculous than Mr. "J. Caves" setting himself up as a standard of lovalty? And such an individual-has the assurance to call his fellow men "traitors," or to question their "loyalty," because their views of public policy differ with his. What has this man done to sustain the government, or what is he capable of doing to perpetuate a good government, more than the humblest citizen whom he denounces as disloval? The absurdity of the thing is so trans parent that it seems to us the most bigoted partisan cannot fail to appreciate it. It is just such men, however, that lend what little ability and United States? All will agree that it could not influence they possess to add fuel to the delu- be done. And why not, sir? For the obvious sions and madness of the hour. This is one of reason that it would be going beyond the conthe misfortunes of the times, if we may so express stitutional disqualifications, and attempting to last always. The cloud which now hangs so the Senator from Massachusetts, (Mr. Sumner heavily upon the public mind will ere long be lifted, and then will come retribution. The impulses of the people are honest, and because they small minority; that both branches of Congress are so, the more sweeping will be the revolution when they are undeceived. There certainly will be reaction in public sentiment, and the longer it is deferred the more overwhelming will it be when the "sober second thought" of the people sits in judgment upon public officials and their conduct of public affairs.

Bounty, Back Pay and Pensions. Hon. Jonn Law, in a letter to the Evansville

Times, states the following facts: I inquired a day or two since at the Second Anditor's, what were the number of claims filed there for "bounty and back pay." I was told the number filed on the first of January was 70. 009, and in the last mouth about 4,500; that certificates between 9,000 and 10,000 were adjudicated. I inquired at the Commissioner of Pensions, the number of applications filed in his office for pensions, and was informed 80,000 on the first of January, and about 2,500 in that

slaughter, suffering and wounds, in the cause of this terrible contest. How many widows and orphans mourn the loss of their husbands and fathers. How many of our gall-at soldiers, friends and acquaintances, are mained for life.
War at any time, with any people, is to be avoided if it can by any bonorable means, and is detrimental to the people who are engaged in it, for the time it lasts—but a civil was, a war among ourselves, is one of the greatest calculties that

We are indebted to Hon, D. W. VOORHEES for a copy of the report of Gen. McCLELLAN, detailing the organisation and operations of the

tion of the Federal Union.

Speech of Hon. Thos. A. Hendricks on the Proposed Rule of the Senate Requiring a Test Oath of Senators.

United States it is required that Senators and Representatives shall be bound by oath or affirm-Additions can be made to Clubs at any time at the above tive until the present Congress; nor was it sought to impose any other oath until by the act of 24 July, 1862, it was required that the party assuming any office of the United States shall first by not be responsible for any loss that may occur. Constitution in the future, but that in the past he has not voluntarily borne arms against the United States, nor given aid, countenance, counsel, or encouragement to persons in armed hostility thereto; and neither sought nor accepted nor attempted to exercise the functions of any office under any authority or pretended authority in hostility to the United States, nor vielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile or inimical thereto. When took my seat in this Chamber as a Senator from the State of Indiana, although I did not believe it could rightfully be required, yet, lest my course might be misunderstood by some and sconstrued by others, and as there was nothing in the oath to which I could not without any reservation bind myself, I did not contest the question, but voluntarily, upon what I esteemed a proper explanation, complied with the require ments of the act. But, sir, when it is now sought Announcing candidates for once of each name in the by a rule of the Senate, proposed by the Senator from Massachusetts, [Mr. Sumner,] to require this oath of all Senators who may hereafter demand seats in this body, I will not give the prop osition my vote or support. Whoever comes here, being duly elected, and having the qualifications prescribed by the Constitution, has a right to his seat, and his State may well demand it for him. The right of his State to be represented by him is conferred by the Constitution, and can ot be denied or impaired by any rule of this body or by any act of Congress. I will not stop to inquire whether the language of the act, con sidered in the light of established rules of con-struction and of adjudged cases, includes Senators and Representatives; but will maintain that flict with the Constitution and null and void Nor will I stop to question that terms may be added to the oath of obedi nce to the Constitution required of all officers, but such additional terms cannot add to or take from the qualifications prescribed by the Constitution. The Contution provides that 'no person shall be a Sen years, and been nine years a citizen of the United States, and who shall not, when elected, be an phabitant of that State for which he shall be chosen." A person not thirty years of age or who has not been nine years a citizen, or who i not an inhabitant of the State for which he is chosen, is not qualified to be a Senator, but all other persons are qualified, and there is no power in the Government to disqualify or render them ineligible. By declaring these three circumstanexcludes every other oisqualification. The rule of construction is well stated by Story in his

work on the Constitution. He says: "It would seem but fair reasoning, upon the plainest principles of interpretation, that when the Constitution established certain qualifications as necessary tor office, it meant to exclude

all others as prerequisites. From the very nature of such a provision, the affirmation of these qualifications would seem to imply a negative of all "A power to add new qualifications is certainly equivalent to a power to vary them "

The Senator from Himois [Mr. Trumbull] cited the oath required of United States judges by the judiciary act of 1789, and claimed it as a iclusive precedent and authority upon the question. With great deference to that gentleman, both because of his conceded ability as a jurist and because of his position in this body at he head of the Judiciary Committee, I cannot admit that he has found either a precedent or an uthority for the measure he now advocates. It to take an oath of obedience to it; and it is also rue that the act of 1789 adds terms to that outh; out has it escaped the attention of the Senstor that the oath of office required of the judges is in no respect retroactive, but is altogether prospective and looks only to a faithful discharge of the duties of their high office? By the terms of that oath, no qualifications are superadded to the qualifications prescribed by the Constitution, and no persons are by it excluded from the bench who are eligible under the Constitution. When a judge of the United States courts swears that he will obey the Constitution and "will adminis ter justice without respect to persons, and do equal right to the poor and the rich, and impartially discharge and perform all the duties in umbent upon him," he gives a solemn assurance patriotism of the class represented by Mayor of official fidelity in the future, but he looks not over his past life; nor is he required to forswear either follies, faults, or crimes. He is not denied he office because he cannot swear that he is without fault in respect to the law; the Constituon, or it may be, his allegiance.

But, sir, the mensure now before the Senate i almost if not altogether otherwise. It is not prospective, nor does it seek to secure fidelity in office; but for the most part is retrospective; and seeks to exclude from seats in this Chamber persons who are not excluded by the Constitution. and to establish qualifications unknown to that

It cannot be said that the proposed rule re nires an oath but does not prescribe a qualifica ion. for if the oath be required an entire class is excluded; as effectually excluded as if the cause were interpolated among the disqualifications prescribed in the Constitution. Could this body by a rule, or Congress by a law, require Senators efore taking their seats to take an oath that they are over forty years of age, or that they have have been twenty one years citizens of the

The measure before the Senate is proposed by Will that Senator allow me to remind him that when he took his seat in this body, twelve yours were controlled by men who, standing upon the adjudications of every department of the govern-ment, believed that the Constitution not only allowed, but required legislation on the part of Congress securing the return of fugitive slaves; and that good faith, as well as the harmony of the sections and the unity of the republic, required that the laws enacted for that purpose hould be faithfully executed. As I understand, that Senator came with avowed convictions a verse to the constitutional power of Congress to enact laws upon that subject, and disclaiming al obligation on the part of the citizen to aid in their enforcement. Now, sir, had Congress by law, or the Senate by a rule, required that Senator before taking his seat, by so emn oath or allirmauntenance, counsel or encouragement to perons engaged in resisting the execution of the be loyal to their requirements and obligations what course would the honorable Senator their have felt it his duty to pursue? If animated by the lofty sentiments of the great men his State had produced, he would have returned to her, and at her feet laid down the commission she had put in his hands and the robes of office she had placed upon his shoulders, and made report to her that he had been denied his seat in a "Senate of equals;" that terms had been required of him up known to the Constitution; and that it was for the ancient Commonwealth to maintain her Fed the ancient Commonwealth to maintain her Federal rights and equality, and to vindicate her wounded honor. To resist the laws of the United States in South Carolina is a grievous crime; but, sir, is it any less a crime in Massachusetts? The act of either State disturbs the foundations of public authority; and, upon principle, as well may test oaths and solemn disclaimers of crime be required of Senators from the one State as from the other. As a question of constitutional from the other. As a question of constitutions right, he who comes here, being duly chosen by a sovereign State, and having the constitutions

qualifications, is entitled to demand his seat, and to deny it is to break the Federal compact.

Mr. President, by the Constitution of the

the Senate rests upon the measure of the entire | honestly believe violative and subversive of that subjugation of the people of the South and the instrument? policy of holding them in such subjection by the In his letter to the Springfield convention of military power of the Government, treating each last fall, the President quaintly said, "But the person who may have been connected with the proclamation, as law, either is valid or is not rebellion as a public enemy and disfranchised valid. If it is not valid, it needs no retraction criminal Vast, sir, as our resources are, they If it is valid, it cannot be retracted any more are not sufficient to maintain permanently a than the dead can be brought to life " If not military force such as this policy would require; valid, men ought not to be sworn to its support; firmly fixed as are the principles of civil liberty and it is a horrible condition of a pardon that a in the American mind, they cannot withstand the man shall be sworn to the support of an invalid influences of a standing army of such gigantic and unconstitutional proclamation. But if valid proportions; and strong as our position may be the President claims for it the force and effect of among the nations of the civilized world for the law—that it did its work, propria vigore, by the great qualities which we have displayed, yet we instant freedom of the slaves; and if so, why inmay not with impunity defy the judgment of voke to its aid the oaths of the people so to remankind by the treatment of a conquered foe gard it? It indicates a doubt, if not a convicthat would find a parallel only in the case of tion, on the part of the President adverse to its broken, bleeling, glorious Poland. The civiliz validity, when he appeals to the slaveholders by ation of this age, the perpecuity of our form of the hope and assurance of pardon upon the condigovernment, and the great interests of the people | tion of becoming bound by oath to treat their which would cluster around a restored Union, slaves as free.
demand that the returning States come with all By this fast proclamation, the President under-

generocity toward a fallen foe an ornament to establish such State government, which shall be manhood, appreciated and honored wherever republican and in nowise contravening said oath, found, whether in individuals or nations? Sir, and such shall be recognized as the true governif our country can be saved and ancient attach- ment of the State;" and he suggests as not imments revived, who is so base as to interpose his proper-

such association as have been attributed to the ernment." der the authority of a government de facta, and in people thereof, and secure their acquiescence and the absence of the protecting power of the Gov- obedience, and the Union is restored.

have, National and State, is itself but a usurpa- from the consent of the governed;" vidual a weak man, to talk in that way. Just however, that he may consent only to that which so it is with the people in those States However the President consents to, and do what he reloval their feelings, a government de facto is over quires, and must first be bound by oath to sup them; they cannot get away; they have nowhere port the executive policy. We were told at one this nation a right to demand of bim?

would you have a man there to do? What has lished in France; that all were allowed to vote there under that government; they have had the laughed in derision, and said that a slavish des audacity to do that since that government has potism was being established. What think you been established over them.' I do not profess to then, sir, of this scheme of allowing political be very highly versed in the ethics of politics, power in ten States of the Union to none but but I am fond of looking to examples that are such as the President shall designate, and they bright and high At the time of the rebellion first to be sworn to every out his wishes? And under Cromwell, which had established a govern the President says the new State governments ment de facte over the people of England, and must be republican! Our fathers thought, and had put down the existing government, applica- we were taught, that a republican government whose character stands as high, perhaps, as any in the annals of Christian judges—to tike the place of Chief Justice, he being opposed to that government Justice Hale consulted with a couple of friends, (bishops,) and after (all delibmin must be adjudged upos; somebody must hold courts; I can consider it no sin to take an office under a de facta government, though it is a sentation shall they have in Congress? When usurpation.' He took it, and the man was not recognized as a State, the Constitution fixes the usurpation.' He took it, and the man was not adjudged guilty of treason upon the restoration of Charles II. He continued in position ever afterwards. In all the troubles between the house of York and the house of Lancaster, in the wars of the Roses, when revolutions were constant and frequent, one day a man of this family upon the throne and the next day one of the other, as early as the period of Henry VII, a stable was passed which has abided in England through all the revolutions afterwards, that no man should be adjudged guilty of treason because he was obedient to the reigning king, no matter if he is a usurper. Such, sir, is the respect paid if he is a usurper. Such, sir, is the respect paid by the world, and especially to that part of the world from which we sprung, to a de facto gov ernment, and the nations of the earth deal with

them as governments, no matter what the usurp ation."

There accompanied the President's recent message a proclamation of conditional pardon to a portion of the people of the South, presenting the executive plan of reconstruction, to which it is proper in this connection to refer. By issuing the proclamation the Persident assumes that the days of its triumphs, out abandon its waning fortunes. But prominent and powerful will be the camp-followers—northern men, with, but not of the Army—who seek fortunes in speculation and plunder. Can we, sir, consent that political power shall be conferred upon such men ten times greater than the free and true men whom we represent enjoy? I would not feel that I had the proclamation the Percedent assumes that the time has now come in the prosecution of the war when it is proper for us to offer terms of concil tion and adjustment; and as the proclamation is to them.

qualifications, is entitled to demand his seat, and to deny it is to break the Federal compact.

The proposition before the Senate, Mr Presidual from executive elemency, I will not now question; but in the proclamation the excepted and exdent, involves other and quite as important con cluded classes are so numerous and so potential siderations. It reaches to questions involved in as probably to defeat it as a peace measure. Of the reorganization and reconstruction of the Fed. those to whom the pardon is offered an eath is eral Union. This war cannot continue f rever, required as a condition so objectionable in its The time will come when it shall have en sed to terms, and to which such extraordinary conseagitate the world, leaving, it may be, scenes of quences are attached, as to array against the desolation to mar the face of our country; socie ty distracted; and, scattered upon every side. North. Each person is required to swear fidelity the broken "column and arches" of our institutions. Then will arise the questions that apper- inently right and proper. But then he must also tain to a state and condition of peace. To restore swear that he will "abide by and faithfully supand reestablish will then be the duty of the port all acts of Congress" and "all proclamations statesman. Is it not well, now, sir, to anticipate of the President possed and made during the exthat condition of our affairs, and to avoid that isting rebellion having reference to slavery." which may render the duty and labor of recon | This language would seem to include laws and proclamations hereafter to be passed and made as For myself individually, for the State which in well as those already known to the country connection with my distinguished colleague, I represent, and for the great political party of that State, of which I am a member, I declare the restoration of the American Union upon the basis of the Constitution to be the highest political "abide by and faithfully support" that which good we seek; and, sir, I will aid to dig no deep they cannot know? The great body of the ditches and to build no high walls to separate the people of the North and of the South; but will the rather labor to remove every obstruction and impediment; to tear down the walls by this Administration already built, and throw bridges legislation of the last Congre-s, and the proc-across the ditches already dug, that the people lamations of the President on the subject of may come together again and dwell in harmony slavery in the States, are sanctioned by the as in the days of our fathers. This is demanded | Constitution; but, on the contrary, they believe by every consideration resting upon the glories of them in palpable violation thereof. How, then, the past, the interests of the present and the sir, is it proper to require of such men, in the hopes of the future. When the war shall have same oath, to swear that they will "henceforth done its work by breaking the armies and de faithfully support, protect, and defend the Constroying the military power of the rebellion, upon stitution of the United States," and in like what principle and plan are the States and people manner that they will "abide by and faithfully to be brought together? The proposition before support" ac's and proclamations which they

their "dignity, equality, and rights unimpaired;" takes to assure the country that whenever so and that to the people, with such exceptious as | many as one tenth of the voting population i the public safety may require, a free pardon be either of the States of Arkansas, Texas, Louisi extended, upon the condition only of fidelity to the Constitution, the Union and the flag.

Ann. Mississippi, Tennessee, Alabama, Georgia Florida, South Carolina and North Carolina Aside from the considerations of policy, is not shall have taken the oath which he prescribes. the sentiment of magnanimity, kindness and such one-tenth, excluding all others, "shall re-

animosities to delay or hinder so great a blessing . That in constructing a layal State government in any State, the name of the State, the bound The appeal to passion is easily made that Da- ary, the subdivisions, the constitution, and the vis, Toombs and Slidell, and their associates, the general code of laws, as before the rebellion be leaders in the rebellion, must not be allowed to maintained, subject only to the modifications resume seats in the Senate, and we often witness | made necessary by the conditions hereinbefore a vast deal of patriotic indignation at the mention stated, and such others, if any, not contravening of such a possibility. Now, sir, I cannot ex | said conditions, and which may be deemed express sentiments of such decided gratification at pedient by those framing the new State gov

distinguished Secretary of State. I have not en | Will the Senate and the country page to contertsined the thought nor contemplated the possi- template the extra admary powers here arrogated bility, for the plain reason that they can never by the President? Ten States are mentioned come here as Senators. The failure of the re three of them were of the original and illustrious sellion is their failure, and its fall their fall; and thirteen Are these ten political communities a they will be occupied rather in looking after their part of the Union this day, or, in the eye of the personal safety than in seeking official positionsr Constitution, are they outside the Union? It For the authors of the rebellion I have no defense they are outside and no longer States of the make and no apologies to urge. Within the Union, by what power that we recognize and by Constitution they might demand, and the North | what action that we respect did this occur? It em Democracy cheerfully conceded and fought to was by no action of the United States. The maintain, the rights our fathers agreed they Federal Government has all the while claimed should enjoy, but outside the Constitution they jurisdiction over them, and by legislative and exare entitled to neither our support nor sympathy | ecutive action has exercised that jurisdiction But, sir, in the Southern States there are millions when and where not hindered by armed resistance, of persons who did not contribute to bringing on I finot by the action of this Government, then are the revolution. but over whom the government these States out of the Union by their own action, de facto of the Confederate States was establish- each State by her separate act of secession taking et, and which has asserted and maintained its herself out? It would be rank political heresy to authority for nearly three years. Officers were assert it. They are yet States of the Union, but chosen and laws enacted whose authority indi States in which the people are in armed resist viduals could not successfully resist. Taxes ance to the United States; and they can cease to were paid, write obeyed, commercial regulations be States of the Union only by the success of the respected. Confederate currency paid and re- revolution. We have but to restore the lawful ceived, and military levies enforced, and all un authority of the Federal Government over the

ernment of the United States Is it right, is it In these ten States the President proposes just to treat a people so circumstanced as crimi- plan for organizing "new State governments, nais, to whom no pardon shall be extended after | with the assurance that they "shall be recognized they shall have returned to their allegiance ex as the true governments of the States." By what cept upon terms humiliating and debasing? Du- authority is this assurance given? What proviring the debate upon the conficuation bill in 1862, sion of the Constitution constitutes him the arthe honorable Senator from Vermont [Mr. Col- chitect to tear down and rebuild State governlamer] expressed views upon this subject so ments? Our fathers held, and the patriot forcible in themselves, and coming from so distinguished a source, that I may with propriety that the people only could lav the foundations of State governments, and build thereon the insti "I will remark another thing. These men tutions of their choice. This work, however, have established a de facto government over that the President commits to the hands of such as people. If a man finds himself in a de facto shall take the oath that he requires, being no government which he cannot resist, and has no less than one tenth of the voting population power to control, what are the limits and measures | Has it been heard of before in modern times that his obligations? It requires a brave man to one tenth of the people shall frame the govern say that he will resist it because he thinks it is a ment and enact the laws that the other nine tenths usurpation. It would be a bold man who would are to respect and obey? It has been a cherished say now, The United States made a rebellion American sentiment, and esteemed vital to libagainst England, and all the present power you etty, that "governments derive their just powers tion; I do not owe it any condience, and I will are told that they may derive their powers from not obey it. How idle it would be for an indi- the consent of one man out of ten: provided

to go; they have nothing to go with. What time that popular institutions were being estab for the chief executive officer, provided, however, But it is said men have actually taken office they must vote for Louis Napoleon; and we was made to Chief Justice Hale-a man was one in which the people, through representa ction came to this conclusion: 'Justice must which the many must obey When so many as administered; the rights between man and one-tenth of the people in any State shall have

> not enter my protest against a scheme so unjus The Constitution, article one, section two, leaves to the States to define the qualifications of voters; but the President undertakes to exclude all who decline to bind themselves by oath to his.

we represent enjoy? I would not feel that I had

done my duty toward the vaters of Indiana did I

the while, and who now labor for its restoration all hesitation in the support of the war, he upon the basis of the Constitution, will decline an repeats the assurance in his message of Deoath unknown to the Constitution, humbling to cember 3, 1861, as follows: their manhood, and which strips them of their "The inaugural address at the beginning of freedom of opinion and action touching matters the Administration, and the message to Con-appertaining to state government. And however gress at the late special session, were both good and true men they may have been, and still mainly devoted to domestic controversy, out of are, yet they are excluded. Without the oath, which the insurrection and consequent war they are distranchised, while the motley assembave sprung. Nothing new occurs to add or blage of public virtue, the President's own sworn subtract to or from the principles or general men, are allowed the rights of citizenship and the purposes stated and expressed in those docu-exclusive power of government If under the ments." State laws, persons tried and convicted of treason

are disfranchised and rendered incapable of hold ing offices of trust and profit, it is well; but if the ni the support of the war, upon the con-State laws do not so provide, the President con- viction that it was and would be prosnot disqualify. The President cannot disfranchised for the sole purpose of restoring the use him whom the State has enfranchised. The Union, and not at all for any purpose of the Constitution forbids it; the rights of the States abolition of slavery; but it became important forbid it; and our rights as citizens forbid it.

in demolishing and reconstructing State institu-tions, they shall not change the name of the State, its boundary, its subdivisions, its constitu-minister to France, said: tion or general code of laws, only so far as may be required by the terms and conditions of the same whether the revolution shall succeed or proclamation, or as may be deemed by them ex- shall fail. The condition of slavery in the severthis direction, is upon the fragments of a broken constitution. The Carolinas and Georgia had the complaint that the disaffected States are to their names and their boundaries before the Union be conquered by the United States, if the revolucharacters, and with their ancient names and boundaries they agreed to the Union; and of the remaining seven of the States mentioned by the and boundaries were established by the people when the States would be federally connected with the when the States were formed, and agreed to by Congress by the acts admitting them into the now be members of the United States; but their conferred in the most solemn modes known to us tutions in either case, will remain the same.

of Congress: article four, section three. changed only by the people acting in their soy- the people. ereign capacity, through their delegates selected Under date of May 6, 1861, to our Minister to for that purpose. But without reference to the Russia, Mr Seward said: provisions of the constitutions for their own amendment, and without regard to the original now as here through his agents sworn to that end in advance.

Mr. Pre-ident, can any pretext of State necessi.

These extracts are taken from letters of gene. ty, can any presended exigencies of the war, or ral instruction to our foreign ministers, furni and the privileges of the people unimpaired. lished institutions. Measures that destroy the States, or impair the ment. Can the supporting columns be stricken with great unanimity, declared: down and the temple yet stand? The States and "That the war is not waged on their part in

guarding their liberties. An important Presidential election is approaching, in which the people will struggle to tion: ministration to hold its power. The President | the National Legislature, at an early stage of the commands the most numerous and powerful war, of its objects; army known to history; he controls the dishurce "1. It was not waged for oppression, controlled by any one power, and reaches every the rights or institutions of the States. neighborhood by his all prevading patronage "2 It was waged to maintain the Constitu-Prostrate Kentucky, Maryland and Delaware tion—to preserve the Union—with the dignity, paralyzed at the polls by the sword; and in all paired the people and their devotion to their ancient cease." absolute control-to exclude all who will not the departments of the Government? The Con-

success of a scheme so dangerous? reasons and upon such considerations as satisfy the proclamation of September, 1862. have driven the President and his party from power before a stream of popular indignation in the days of public and political virtue

Mr. President, at the beginning of the war such

assurances were given, both to the country and for the places of rendezvous. breach of public faith In his inaugural message, journals of the country in the support of the Addelivered when hostilities were impending, the ministration, said:

lawful right to do so, and I have no inclination | What believer in popular institutions can to do so. tate to adopt the sentiment? And yet, sir, by

satisfied fellow countrymen," he said:

ernment, relatively to the rights of the States and the people under the Constitution, than that expressed in the inaugural address."

These repeated assurances were given to the The President suggests to his sworn men that ments, so that they might not interfere by also to give the assurance to foreign Govern-

pedient Every step taken by the President in al States will remain just the same whether it President, it is enough to say that their names ceed or whether it shall fail. In the one case, Union. These ancient attributes of the States, constitutions and laws, customs, habits and insti-

as a people, cannot thus be disturbed by the "It is hardly necessary to add to this incontest President, or by the few who may act under his able statement the further fact that the new Preassumed authority. But, sir, the Constitution sident, as well as the citizens through whose sufforbids argument on this question by the provi- frages he has come into the administration, has sion protecting the integrity of State boundaries always repudiated all designs whatever and wher unless by the consent of the States affected and ever imputed to him and them, of disturbing the The President also requires, in effect, that the stitution and laws. The case, however, would State constitutions shall be changed so as to con- not be fully presented, if I were to omit to say form to his proclamation. In most and perhaps that any such effort on his part would be unconall of the constitutions of these States, provision stitutional, and his actions in that direction would is made for their own amendment; and it is clear where there are no such provisions they can be though they were assented to by Congress and

"All existing interests of slavery are protected and exclusive right of the people to make and stitutions, sufficient to prevent the destruction or change their State constitutious, the President molestation of the institution of slavery where proposes to conform them to his own policy, it exists by Federal or foreign intervention, with-

any conceivable hope of future good, justify so the grounds they should assume and the arguclear a violation of the Constitution, and disre ments they should urge in maintaining, before gard of the principles upon which our institutions the Governments to which they were accredited, are based? To preserve the Federal Government that we are in the right; that we prosecute the is the duty of every citizen; but co-existent is the war to re establish the rightful authority of the duty of preserving the States with all their rights Government, and not to destroy or disturb estab-

But that there should remain no doubt in the rights of the people under them, strike a blow at country, or in the world, upon the great question, the Union and endanger the Federal Govern at the special session of July, 1861, Congress,

Federal Union form one harmonious whole- any spirit of oppression, or for any purpose of they must stand together or fall in a common conquest or subjugation, or purpose of over throwing or interfering with the rights or estab-The people of the United States have been lished institutions of the States, but to defend wisely jealous of power in its efforts to perpeu and maintain the supremacy of the Constitution. ate itself. The history of the past two years, and preserve the Union with all the dignity, and the present condition of the country, admon- equality and rights of the several States unim ish us that they cannot now be too vigilant in paired, and as soon as these objects are accomplished the war ought to cease.'

I will quote from the writer upon this resolu maintain their rights and privileges, and the Ad "Here was a distinct and formal declaration by

ment of larger sums of money than were ever or subjugation, or to overthrow or interfere with

admonish us that the brave and timid alike are equally, and rights of the several States unimthe States we belold the power of patronage and "3. As soon as these objects (the mainten-

money over the venal and corrupt. There are ance of the Constitution, preservation of the appalling odds in the contest between power and Union, and protection of the rights of the sevthe people, and the only hope is in the virtue of eral States) are accomplished the war ought to liberties. But, sir, the President's proclamation | What was the immediate effect of these solseeks in addition to place ten States under his emn and unequivocal assurances given by two of

swear lealty to his measures, thus securing Pres | federate States, although recognized as a belligidential electors who will lay their votes at his erent, failed to secure their recognition as a govfeet. Can the liberties of the people survive the erument de jure, and their position abroad became every day more embarrassing; and although they Without que tioning that the President may urged the derangement of trade and commerce, grant a conditional parcon, I do deny that he may the short supply of cotton, and their own giganimpose a condition that will control the action of the efforts to maintain their independence, yet the pardoned man touching the policy of his state, for that policy being exclusively of the ments of Europe had been assured that the war Sinte, shall be decided by the people thereof, un | was prosecuted on the part of the United States influenced and unconvrolled by Federal power, to re-establish legitimate authority. But at for the reason that it is by the Constitution ex- home, sir, the effect was yet more astounding. pressly reserved to the State and to the people; The call for volunteers was responded to with and an attempt by Federal authority to control it | fierce zerl in every state and county throughout is a usurpation. And I deny that a condition may the North; men rallied to the standard, without be imposed upon the pordoned man which inter distinction of political parties, and a mighty army feres with his freedom as an elector, for the rea sprang into existence as if called up by the wand son that, so far as our institutions rest upon pop- of a magician—that shook the solid earth be-ular suffrage, their spirit requires that the voter neath its heavy tread. The patriotic fervor knew shall vote for the man of his choice, for such no abatement until the country was shocked by his own judgment and conscience; and any inter | Senators ask what has discouraged enlistference with the absolute and entire freedom of ments, why it is so difficult to fill up the army, suffrage is a blow at our popular institutions, and why, in the language of another, men have Was there ever a time in our history when a to be dragged by the draft like ballocks to the President, elected by the Whig or Democratic slaughter pen, let the inquiry be made at the party, in granting a pardon would have dared to other end of the avenue, and of those who adrequire the man to swear that he would support vised that ill starred measure. Even in Massathe policy and vote for the men of the party in chusetts we have not an equivalent for the losses power? A single instance of this sort would in the more conservative sections, although her

foreign nations, by the executive and legislative Mr. President, I ask Senators if they do be-departments of the Government, touching the lieve that the President's proclamation and the purposes and policy of the war, and the principles proposed rule of the Senate will promote and that would be respected when it should cease, hasten the return of an honorable and permanent that they cannot now be disregarded without a peace? Very recently one of the most powerful

"We must not shut our eyes to the fact that if "I have no purpose, directly or indirectly, to we are to restore the Union at all we must do it interfere with the institution of slavery in the with the assent and co operation of the great States where it exists. I believe I have no body of the people in the rebel States."

"I understood a proposed amendment to the the rule of the Senate resting upon the act of Constitution—which amendment, however, 1 1862, it is proposed to close the doors of the have not seen—has passed Congress, to the ef- Senate and House and all the avenues to posifeet that the Federal Government shall never in-States, including that of persons held to service. touching the rebellion, and by the proclamation To avoid misconstruction of what I have said, I of the President to exclude from pardon and depart from my purpose not to speak of particu-lar amendments, so far as to say that, holding such a provision now to be implied constitutional their States. Sir, we need not deceive ourselves; law. I have no objection to its being express and these are not peace measures, they are not in irrevocable."

These declarations of his purpose, and definitions of constitutional restrictions upon executive power were made by the President under most solemn circumstances, forming almost a part of the official oath; and addressing his "distriction we must throw the proclamation to the winds, and again, high above all, raise the ban-"You have no oath registered in heaven to ner and Constitution of our country. Then, if destroy the government, while I shall have the suffering and desolation have opened the eves most solemn one to 'preserve, protect and defend it.'"

Is it not enough now to ask what change has future, we may hope that they will come back if

since been made in the Constitution which gives him "lawful right" to "interfere with the institution of slavery in the States," or to do any other act which was not lawfully right for him to do when sworn into office?

In the Northwest we want peace, we want peace in a restored Union and upon terms honorable to the North and just toward the South; upon terms that will leave us friends and not en-After the war had commenced, in his message emies; and we want peace before the North is to Congress on the 4th of July, 1861, the President repeated the assurances given in his inaugudent repeated the assurances given in his inaugural. He said:

"Lest there be some unessiness in the minds of candid men as to what is to be the course of the Government towards the Southern States after the rebellion shall have been suppressed, the Executive deems it proper to say, it will be his purpose then, as ever, to be guided by the Constitution and the laws; and that he probably will have no different understanding of the powers and duties of the Pederal Government, relatively to the rights of the States

WHOLE NO. 1,284

FROM WASHINGTON.

Halleck's Resignation -Old Abe's Anxiety to Kill off Grant-Legislation for the Nigger-The Reign of Social Equality with the Negro to be Inaugurated.

[Special Correspondence of the Chicago Times.] WASHINGTON, February 10.

It is stated posicively that Gen. Halleck has resigned, and that the President only waits the positive and final action of Congress in relation to the Lieutenant General matter, in order to-accept the resignation. Some persons here doubt the fact of the resignation, because, they say, Halleck has already put up with so many slights, and pocketed so many affronts, that this Lieutenant General business will not affect him any more than former insults have But the people who talk thus do not know Gen. Halleck. It is for this very thing that he has borne with so much hitherto. It has been the hope of one day being made Lieutenaut General that has led him all along to put up with the stupid ignorance of Lincoin and the vulgar brutality of Stanton, and to see his plans coolly interfered with and set aside by both. He has endured all this (and this to him must have been peculiarly galling, for he is a gentleman,) hoping that, in due time, he would receive his reward in the shape of a Lieutenant General's commission. He never tried to win that position by the splendor and success of plans of campaigns. If he did, he quickly abandoned that idea as bopeless; for Lincoln, as Commanderin-Chief, always insisted on knowing what his plans were, and he and Stanton, together, always took care that they should miscarry. Halleck wrote his recent report at a period when he was particularly irritated at Lincoln, and henceits sharp denunciations of the ex-Rail-Splitter. But, in reading his report in that vein, Halleck simply butted his head against a stone wall; for, from that moment, his destiny was fixed. The Lieutenant General project was originally concocted by the radicals, in order to prevent Grant from hurrying the war to a termination. It was eagerly embraced by Lincoln, who thinks that he can, in this manner, get rid of a formidable rival for the Presidency. But "Honest Old Abe" is dreadfully irritated in regard to the exposures contained in Halleck's report. That document fastens on him, and on him alone, the sole reresponsibility for all the disasters that have befallen our arms, and for the fallure of the war generally. Lincoln has just sense enough to know that he cannot shake off this responsibility; that he cannot suppress Halleck's report; that exposition of the war: and that he (Lincoln) will then stand before the world in anything but an enviable position. Hence he gladly avails himself of this pretext to get rid of Halleck. The action of the Senate Military Committee,

in refusing to recommend Gen. Grant for the position of Lieutenant General, is only a move of the radicals to kill him off. This action of the Senate Committee is inspired by what is known to Sumner, Wilson & Co., to be the President's wishes on the subject. And this may kill the bill altogether. It is pretty certain that it will not pass Congress at all, if it does not pass in the

shape that it came from the House. It is positively sickening to be in Washington now, and see how much of the time of Congress is occupied in legislation for the nigger. It is a positive fact that the fancied interests of the negro are considered as of transcendent importance, compared with the real interests of the actual citizens of the Republic. Every day Mr. Sumner gets up with a long petition or resolution, granting this, that, and the other privilege to negroes. Now it is to ride in the cars with white people; then to have the same pay as white soldiers; then to become officers in the negro regiments; then to be equal before the law; and then to be

allowed to vote, the same as white men. The people of Illinois may as well understand it at once. The bateful doctrines of amalgamation and social equality with negroes are to be forced upon us by this administration,-by the action of Congress if possible; if not, then by the use of the army. It will be done. At least, it will be attempted. It is a part of the programme determined upon by the Republican eaders. It remains to be seen whether the American people are such slaves as to submit to it; and, in submitting to it, to submit to a re-

enactment here of the frightful scenes of San I do not believe they will. I believe the people, at the next Presidential election, will hurl Abraham Lincoln back to the obscurity from whence he sprang, and will elect George B. McClellan-the only man whom this war has produced who combines the soldier and the statesman-in his place. I have spent some days in the interior of Pennsylvania recently, and I am amazed at the depth and extent of the feeling for McClellan. It pervades all classes. The people

How Our Officers Escaped from the Libby Prison.

are determined to elect him.

The special Washington dispatches to the Cincinnati Gazette contain the following particulars of the escape of our officers from the Libby

Prison in Richmond; Captain William Wallack, of the 51st Indiana, originally from Peru, Indiana,) who escaped from Libby Prison through the tunnel, arrived to day, and was on the floor of the House. He came nearly due North from Richmond till he reached our lines. He says they began digging the tunnel on New Year's Eve, and only finished it the night before making their escape. The work was carefully concealed, even from the bulk of their brother officers, for the reason that rebel spies are believed to be among them, clothed in our uniform, and professing to be prisoners from some of our regiments. The working party were all sworn to the most solemn secrecy. They began back of the stone in a room on the ground floor, where a pile of ashes enabled them to con ceal their work. From this they dug into the chimney, and so down into the cellar. This cellar was filled with old rubbish, and also contains a pile of straw. They begun their tunnel from this cellar, digging through the whole night, relieving one another by turns, and piling the dirt taken from the tunnel in a corner of the cellar, from which they had removed the rubbish. Ev ery night before closing their work they would stamp this dirt down, to make it occupy as small straw. They would then black their boots and remove every particle of clay from their clothes, and after morning roll call spend the day in sleep ing, for the double purpose of gaining rest an

avoiding conversation with others Col. Rose of Ohio acted as chief engineer in managing the direction of the tunnel. managing the direction of the before making their escape, some negrocal were in the prison waiting on prisoners, discovered what they were doing, but loyally kept the

They dug in this way under an adjacent street, and finally came to the surface of a vacant lot, 50 yards distant. At the point where they were under the street they were only four feet below the surface, and nothing but the tenacity of the soil prevented the tunnel from crumbling. Toward the close they became alarmed at the pile of dirt excavated, and in order to make it occupy as little space as possible, they only made the tunnel large enough for a medium sized man to crawl through on his belly. When they came to attempt the passage several of the men stuck fast, and it was with the utmost difficulty that some of them managed to work their way

It was owing to this delay that comparatively so small a number escaped. As it was, as many got out as possibly could till daylight came to check their operations. Many, however, started without any provision, and being compelled to stop at houses for food, were discovered. To this and to their weakness and long contin privations, the recapture of so many is attribu-

Colonel Streight is expected here to-night, and Captain Wallack leaves for his home in Indiana.

That Gen. McClellan has a hold upon the people which no amount of contumely and de-traction by the Administration and its partisans can disturb, is shown in the fact that, night beore last, in one of the most crowded and fashfore last, in one of the most crowded and tashionable places of amusement in this city, a complimentary allusion to the hero of Antietam
brought down the house with long continued
applause, and produced for the actor who attered
it a call before the curtain. Only a single him was heard, but the man who uttered it speedil subsided under the ominous and universal thunders of "turn him out!"—[Chicago Times.